

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2615

#15

W. Lamm
4/1/03

In re the Application of

Scott L. MINNEMAN et al.

Group Art Unit: 2615

Application No.: 09/223,016

Examiner: P. Chieu

Filed: December 30, 1998

Docket No.: 100126

For: SYSTEMS AND METHODS FOR USING STRUCTURED REPRESENTATIONS TO INDEX RECORDINGS OF ACTIVITY

RECEIVED

REQUEST FOR RECONSIDERATION

MAR 2 0 2003

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Technology Center 2600

Sir:

In reply to the December 18, 2002 Office Action, reconsideration of the above-identified application is respectfully requested in view of the following remarks.

Claims 1-4, 6-13 and 15-21 are pending.

I. Claims Define Allowable Subject Matter

The Office Action rejects claims 1, 2, 4, 6, 8-11, 13, 15 and 17-21 under 35 U.S.C. §103(a) as been unpatentable over U.S. Patent No. 5,613,032 to Cruz et al. in view of U.S. Patent No. 5,701,383 to Russo et al. This rejection is respectfully traversed.

The Office Action asserts that Cruz discloses an object description file that stores at least one index; a user input device that selects at least one item of the at least one index based on a user input; an association device that associates the selected at least one item with a recording of an activity; and a recording system that records an activity and an index selected based on a user input. The Office Action admits that Cruz fails to disclose a playback system for playing an index recording that allows simultaneous recording of activity

while replaying an index recording. However, the Office Action asserts that Russo makes up for this deficiency. The Applicants respectfully disagree.

In the claimed invention an index and digital audio and/or video recording is used to provide access to recent digitally recorded material. For example, the user initiates recordings of audio or video data and then uses an index to randomly access the indexed portions of the recording for playback. See page 3, lines 1-10 of the specification. Russo fails to disclose this feature.

In contrast to the claimed invention, Russo merely discloses a video time shifting system that allows a user to produce a time shifted version of an incoming video program. See column 2, lines 24-37. However, Russo fails to disclose "a playback system for replaying an indexed recording that allows simultaneous recording of an activity while replaying an indexed recording." As such, Russo and Cruz, either alone or in combination, fail to disclose each and every feature of the claimed invention and cannot be used to sustain a rejection for obviousness under 35 U.S.C. §103(a). Withdrawal of the rejection is respectfully requested.

The Office Action rejects claims 3, 7, 12 and 16 under 35 U.S.C. §103(a) as being unpatentable over Cruz in view of Russo and further in view of U.S. Patent 6,052,508 to Mincy et al. This rejection is respectfully traversed.

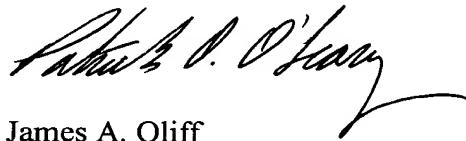
Claims 3, 7, 12 and 16 are dependent on allowable claims 1 and 10 respectfully and are therefore allowable for at least the reasons discussed above, as well as for the additional features recited therein. Withdrawal of the rejection is respectfully requested.

II. Conclusion

For the foregoing reasons, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further is desirable in order to place this application in better condition for allowance, the Examiner is invited to contact the Applicants' undersigned attorneys at the telephone number listed below.

Respectfully submitted,



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Date: March 18, 2003

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